

**FILED**

**MAR 26 2009**

**Clerk, U.S. District and  
Bankruptcy Courts**

Charles C: Miller  
C/o Res CHARLES C. MILLER  
Reg. No. 61721-065

Harold Edmund: Stonier  
C/o Res HAROLD EDMUND STONIER  
Reg. No. 24707-038

Dale Scott: Heineman  
C/o Res DALE SCOTT HEINEMAN  
Reg. No. 12152-081

PLAINTIFFS/Applicants  
Contact Information:  
FCI LOMPOC  
3600 GUARD ROAD  
LOMPOC, CA 93436

Case: 1:09-cv-00578  
Assigned To : Friedman, Paul L.  
Assign. Date : 3/26/2009  
Description: Pro Se General Civil

**JURY  
ACTION**

**United States District Court  
for the District of Columbia  
seat of Government**

CHARLES C. MILLER By  
Charles C: Miller, Authorized  
Agent, HAROLD EDMUND STONIER By  
Harold Edmund: Stonier, Authorized  
Agent, DALE SCOTT HEINEMAN By  
Dale Scott: Heineman, Authorized  
Agent, *FCI Lompoc*  
*3600 GUARD RD* Plaintiffs,  
*Lompoc, CA 93436*

Against

FEDERAL BUREAU OF PRISONS,  
Michael Mukasey, Harley Lappin,  
Linda Sanders, John C. Coughenour,  
Carl Blackstone, Joseph L. Tauro,  
Brian Kelly, William H. Alsup,  
Joseph P. Russoniello, David Hall,

Defendants.

(address and contact information  
for Defendants provided herein)

\_\_\_\_\_ /

Case No. \_\_\_\_\_

**Complaint**

Bivins Action, with  
LCrR 57.17 Complaints  
for violations of  
United States Code

*JURY TRIAL DEMAND*

Plaintiffs CHARLES C. MILLER, hereinafter MILLER, HAROLD EDMUND STONIER, hereinafter STONIER, and DALE SCOTT HEINEMAN, hereinafter HEINEMAN, approach the Court with duly sworn Complaint as executed before record clerk who administered oath for verification of all statements under penalties of perjury. Plaintiffs apply the Courts judicial power for review of executive acts complained of herein and herewith which are known to be violations of United States Code in particular Title 18 § 4001(a); "No citizen shall be imprisoned or otherwise detained by the United States except pursuant to an Act of Congress."

We complain and show by documentary evidence that these Defendants conspire to circumvent this Code Section, do so intentionally, for private gain and benefit at the expense of Plaintiffs and the United States. We apply to the Court under Federal Rules of Civil Procedure under LCvR 1.1 and LCrR 1.1 cognizable at law and in equity pursuant to Rule 81 Civil Procedure. Whereby relief demanded includes monetary damages, processing criminal complaints, freezing of assets, writs of Habeas Corpus, protective orders, and others.

Plaintiffs are held in bondage by federal institutions and agents without authority and in violation of civil rights promised by the United States, which is the cause of this complaint.

#### **Jurisdiction**

1). This Court has jurisdiction pursuant to BIVENS v. SIX UNKNOWN AGENTS, 403 US 388, Federal question arises under Amendments to the Constitution of the United States specifically Sections I, IV, V, VI, VIII and XIII, as well as various Acts of the United States Congress and various statutes with their attendant U.S.C. subsections as hereinafter more fully appears.

2). This Courts jurisdiction is invoked pursuant to:

a). Article III of the United States Constitution Judicial Power as assigned by Congress, more specifically section 2; Cases in in Law and Equity, found by reference to District of Columbia, D.C. 11 § 101, Public

Law 91-358, Title I and III, Act of July 29, 1970, 84 Stat. 475;

b). Personal jurisdiction over these Defendants based upon enduring relationship, conduct over those domiciled in or maintaining a persistent course of conduct, being funded for services rendered in the District and/or services outside the District. The most convenient forum for all parties. This Court is the only Federal District Court cited in the current published federal codes as holding judicial power, cited by the United States Constitution. Public Law 91-358, Title 1 § 132(a), July 29, 1970, 84 Stat. 549, D.C. Code 13 § 423, with evidence in control of D.C. Code 14 § 101;

c). Jurisdiction of this Court is invoked by Plaintiffs accepting the published offer for use of the Courts powers, returning the offer under complaint contract for execution on the United States promised performance, or, under the previously approved case number 08-1875, having been filed in forma pauperis, which is still open as of this writing.

In contemplation of faithful performance under written instrument with sureties, obligees Charles C: Miller, Harold Edmund: Stonier and Dale Scott: Heineman hereby accept:

i). That, the United States, in all its guises, is an artificial entity [person] made up of words, expressed on paper, available for use by anyone who does business with the United States, or that the United States has effect upon;

ii). That, all agents of the United States, being flesh and blood, natural men, pledge their oath, the bond, a security, to act exclusively within the written, known, and published authorities of the United States when they appear to operate under its color;

iii). That, any agent, actors all, acting without the explicit written words empowering the United States, deny the United States its ability, its absolute duty, to fulfill its obligations, that is to keep its promises

as stated by its written words, beginning with its Charter, the United States Constitution;

iv). That, there is no defense or limitation for acts outside the expressed statements in writing issued by the United States for execution by its agents, bonded offer, for open, notorious, general, reliance and execution.

All written statements issued by the United States, by and through its agents/obligors to perform thereunder is now accepted for execution by Plaintiffs as part of this complaint contract.

Obligor is herein defined as United States District Court, District of Columbia, its agents, assigns, employees, and subject party Defendants.

#### **Equity Call**

d). Obligees Charles C: Miller, Harold Edmund: Stonier and Dale Scott: Heineman, have recently discovered that they have been an involuntary Contributing Beneficiary to the United States federal corporation, by and through its constructed entities, Res, entitled: CHARLES C. MILLER, HAROLD EDMUND STONIER, DALE SCOTT HEINEMAN, artificial persons, utilities, which carry with it certain identifiers and agreements with the commercial for-profit federal corporation. This new information has been obtained through due diligence from sources of integrity, the open, general, notorious, words issued by the United States, offered and intended to be relied upon in all dealing with the United States, its agents and instrumentalities.

The United States promised obligations and duties for certified equity call which are guaranteed to be performed by all United States agents affecting or attaching us, your Applicants, the flesh and blood natural men: Charles C: Miller, Harold Edmund: Stonier and Dale Scott: Heineman, through instrumentalities. These instrumentalities being the legal entities called and identified as: CHARLES C. MILLER, HAROLD EDMUND STONIER and DALE SCOTT HEINEMAN, operating as trustees with fiduciary obligations and responsibilities

to the beneficiaries of the respective trusts. Applicants rights and liberties held under the names: CHARLES C. MILLER, HAROLD EDMUND STONIER, DALE SCOTT HEINEMAN, as well as these Applicants labor, are private equities which have been taken as value and/or for value, a fungible in support of, and use by, the United States federal corporation in its operations by its agents, through its instrumentalities. This taking is payment.

Therefore we, your Applicants, Charles C: Miller, Harold Edmund: Stonier, Dale Scott: Heineman, now call due this equity call for reimbursement owed by the United States and all its bond agents who operate the United States instrumentalities identified above, to release and make free from attachment of the Plaintiffs due to prior contributions taken, voluntarily under full disclosure or without full disclosure or consent. With or without consent the fact is the value has been taken, accepted, used, which creates the obligation upon the acceptor to return the goods and/or services paid for, accepted for value, returned for value, in form of performance herein and herewith.

#### **Parties**

##### **3). PLAINTIFFS**

a). Plaintiff CHARLES C. MILLER is an artificial entity believed to be some sort of trust resulting from acts of the United States and it related co-venture parties with a domicile in the District operating under identifier 516-58-0475, a utility, which Authorized Representative, Creditor and Beneficiary, this Applicant, Charles C: Miller, a flesh and blood natural man, is wrongly being held as surety to and for a cesti que trust CHARLES C. MILLER, resulting from certain acts and omissions.

b). PLAINTIFF HAROLD EDMUND STONIER is an artificial entity believed to be some sort trust resulting from acts of the United States and its related co-venture parties with a domicile in the District, operating under identifier 069-56-2683, a utility, which Authorized Representative, Creditor

and Beneficiary, this Applicant, Harold Edmund: Stonier, a flesh and blood natural man, is wrongly being held as surety for the cesti que trust HAROLD EDMUND STONIER, resulting from certain acts and omissions.

c). PLAINTIFF DALE SCOTT HEINEMAN is an artificial entity believed to be some sort of trust resulting from acts of the United States and its related co-venture parties with a domicile in the District, operated under identifier 571-33-9668, a utility, which Authorized Representative, Creditor and Beneficiary, this Applicant, Dale Scott: Heineman, a flesh and blood natural man, is wrongly being held as surety for the cesti que trust DALE SCOTT HEINEMAN, resulting from certain acts and omissions.

4). DEFENDANTS

a). FEDERAL BUREAU OF PRISONS, hereinafter FBOP, is the artificial person believed to be doing business as a private nongovernmental corporation for the purpose of providing facilities to the UNITED STATES DEPARTMENT OF JUSTICE, hereinafter DOJ, BUREAU OF PRISONS, hereinafter BOP. The FBOP is believed to be operating a business in the state of California without a business license. The place of domicile for the FBOP is unknown to Plaintiffs, neither is the registered agent or counsel known to Plaintiffs. Plaintiffs believe the agent does not possess a license or is registered anywhere where such license or registration is available for inspection by Plaintiffs. Plaintiffs believe the FBOP is a nul tiel entity. Therefore service of process of the Complaint shall be effectuated through agent Harley Lappin, Director of the BOP, identified below as Defendant 2.

Defendant 1. Michael Mukasey  
d/b/a United States Attorney General  
UNITED STATES DEPARTMENT OF JUSTICE  
950 Pennsylvania Avenue N.W.  
Washington, D.C. 20530

Defendant 2. Harley Lappin  
d/b/a Director BUREAU OF PRISONS  
320 First Street N.W.  
Washington, D.C. 20534

- Defendant 3. Linda Sanders  
d/b/a Warden, LOMPOC CORRECTIONAL COMPLEX  
3901 Klein Boulevard  
Lompoc, CA 93436
- Defendant 4. John C. Coughenour  
d/b/a United States District Court Judge  
700 Stewart Street  
Seattle, WA 98001  
Att: Bruce Rifkin, Clerk of the Court
- Defendant 5. Carl Blackstone  
d/b/a Assistant United States Attorney  
700 Stewart Street  
Seattle, WA 98001  
Att: Bruce Rifkin, Clerk of the Court
- Defendant 6. Joseph L. Tauro  
d/b/a United States District Court Judge  
1 Courthouse Way, Suite 2500  
Boston, MA 02210  
Att: Clerk of the Court
- Defendant 7. Brian Kelly  
d/b/a Assistant United States Attorney  
1 Courthouse Way, Suite 9200  
Boston, MA 02210  
Clerk of the Court
- Defendant 8. William H. Alsup  
d/b/a United States District Court Judge  
450 Golden Gate Avenue  
San Francisco, CA 94102  
Att: Richard Wieking, Clerk of the Court
- Defendant 9. Joseph P. Russoniello  
d/b/a United States Attorney  
450 Golden Gate Avenue  
San Francisco, CA 94102  
Att: Richard Wieking, Clerk of the Court
- Defendant 10. David Hall  
d/b/a Assistant United States Attorney  
450 Golden Gate Avenue  
San Francisco, CA 94102  
Att: Richard Wieking, Clerk of the Court

b). Defendants are sued in their private capacity while acting under color of United States Authority. The United States is being offered opportunity to validate the acts of its employees herein via Defendants ability

to gain representation by the United States. Presumption of criminal conduct will lay in public forum when the United States fails to represent its agents, and, Plaintiffs will at that point request prosecutorial assistance from the United States.

5). We, MILLER, STONIER and HEINEMAN, Plaintiffs, hereby contract with this Court because it is the only United States District Court identified in statements by the United States, by the United States as holding full Article III Judicial Power as duly assigned by Congress in its Article I Power with proper venue extended to it by virtue of its exclusive jurisdiction ceded to the United States by the separate States during the act of creating the United States Constitution.

Whereby, Applicants seek to have this Courts Judicial Power applied as promised, on their behalf, to protect their rights, liberty and property, including identities.

6). Complaints attached, and noticed herewith, under LCrR 57.17 for Magistrates action are presented for processing on offer by this Court.

7). This civil action contract is made on complaint of illegal acts, violation of civil rights guaranteed by the United States. Said acts being perpetrated by those claiming to be employed by the United States as civil or appointed officials who claim, at all times relevant hereto, territorial jurisdiction everywhere, personal jurisdiction over Plaintiffs and Applicants, and subject matter jurisdiction. All without ever proving jurisdiction, even upon legitimate demand to do so.

These Defendants may, at some point in the future, be challenged to show their authorities where the United States shall come forth in its full capacity to verify each act of its agents or to determine if it, the United States, must assist in the prosecution of these agent Defendants acting under its name illegally.



Defendants, joint and several, have acted under color of authority, using the legal process to coerce by threat or use of law or legal process.

8). Defendants, at all times relevant hereto, are paid to perform under all the laws of the United States, provide all the benefits and legal protections to all those they affect in the performance of their claimed official duties under color of law, which they have failed to do with intent to harm for private gain.

#### **Complaint**

9). Defendants individually named herein, jointly and severally, executed openly, generally and notoriously, delivering in the public forum, their promises to provide all legal protections to those they affect through their official acts under color of authority of the Government of the United States wherein each of these Defendants, individually, jointly or severally, have refused, with intent to cause harm, for their own private gain and benefit, to provide the promised Acts of office.

10). Defendants individually, jointly or severally, claim policies as authorized for their act and actions which are in direct conflict and contradiction with other policies and statements of law by their employer. When this fact is brought to their attention, these Defendants refuse to validate, clarify, or otherwise correct their acts, actions or omissions.

11). Defendants individually, jointly or severally, knew or reasonably should have known, that orders, statements, pronouncements, et al., by the Supreme Court of the United States of America, are orders to United States agents which these Defendants have failed to give due deference, loyalty, or lawful compliance to. Instead these agents deferred to other agents of the United States as the authority for their unlawful defiance of orders, statements, pronouncements, and Supremacy Clause.

12). In consequence of these aforementioned acts, these Defendants individually, jointly and severally, did conspire to circumvent the promises of providing benefits they knew or should have known were required to be provided to Plaintiffs by the United States and its agents.

13). As a result of the deprivation of these promised benefits, Plaintiffs are being denied their liberty, denied the legal protections owed them by these Defendants being the proximate cause of their false and illegal imprisonment, is also the cause of their mental anguish, the cause of their emotional trauma and spiritual distress. The present suffering of your Applicants has caused the families of the same to suffer similar maladies.

14). Defendants collected the debt; imprisonment. However, neither said debt nor its collection was ever authorized by law. Arguendo: Even if these acts and actions were legitimate and lawful, the UNITED STATES OF AMERICA never possessed the standing, jurisdiction, to bring such charges itself as it is not a sovereign, but a corporate person. See LCrR 57.17, Magistrates Complaint and Plaintiffs complaint herein.

15). Defendant FBOP is a null entity with no corporate registration in California or in the District and no known registered agent. Yet its name is prominently and publicly displayed on the signage in front of the Lompoc FCI prison, embroidered and silk-screened on the uniform apparel of staff, etched on staff name badges, including Defendant Warden Sanders. The FBOP logo is printed on prison memoranda, letterhead, envelopes, inmate to staff correspondence forms, and other collateral materials used inside and outside the prison facility. All this giving the impression the FBOP is a legitimate bureaucratic entity.

16). The FBOP is believed to have insurance in the nature of risk, hazard and safety, and it is believed by Plaintiffs that FBOP provides workmans compensation, medicare and medicaid to its prison staff. The various claim

forms utilized at Lompoc FCI support such a belief by operation of analysis, logic and implication.

17). Whereby Plaintiffs and their Authorized Agents are held against their will for private debt collection, a known violation of the law, a trespass upon each Plaintiff/Applicant by these Defendants who operate for profit, holding slaves, Plaintiffs/Applicants, when Defendants conspire to deny relief or remedy, knowing such relief or remedy is available to Plaintiffs/Applicants, operating under codes known to be devoid, vacant, of any Federal Regulation being in violation of law and statute.

18). Plaintiffs claim the subject debt owed is shown herein to be a construct resulting from a misuse, abuse, of the law through the administration of an unlawful legal process rendering the debt a fraud. Damages sought for the families represented herein are reserved for future litigation.

Attached and fully incorporated complaints of violation of the United States Code by those claiming to be officials acting under color of authority sets forth the overt acts.

WHEREFORE: Plaintiffs demand judgement against these Defendants, to wit;

a). Each Defendant be ordered by this Court to produce:

i). Official copy of Certificate of Appointment to Office with verification by apposit body;

ii). Official Oath of Office where such Oath is in written form and signed by Defendant(s);

iii). Signed Loyalty Statement;

iv). Copy of most recent Ethics Agreement;

v). Copy of signed Employment Agreement.

All documents to be delivered to each Plaintiff to their respective place of incarceration or wherever they may be domiciled.

b). Each Defendant be ordered to notify their Employer of these pending claims on official bonds.

c). Each Defendant be ordered to freeze any and all selling, transferring, or the like, of assets pending completion of this action, or in the alternative, ordered to seek Court approval prior to the sell or transfer of said assets, or the like.

d). Each Defendant be ordered to review all their acts and actions in relation to your Plaintiffs/Applicants in order to provide specific authorities supporting each and every challenged act, action or omission in order to preclude delay in the interest of justice regarding this contract.

e). Damages to be ordered in the sum amount of One Thousand Five Hundred Thirty-eight dollars (\$1,538) per day, against FBOP for each day your Plaintiffs spent incarcerated and/or in FBOP custody.

f). Damages in the sum amount of Five Thousand dollars (\$5,000) per day, minimum per cause, against these Defendants individually, for each Applicant for false imprisonment. The actual damage amount to be determined by a jury in the event Defendants are not able to produce lawful authority supporting their acts, actions or omissions.

g). Defendants ordered not to separate Plaintiffs while this action remains pending, keeping Plaintiffs together at FCI Lompoc, in general population, nor to obstruct, interfere with Plaintiffs collective work or work product, not to tamper with Plaintiffs legal mail.

h). An order establishing the required office supplies necessary for the preparation of filings and other legal related matters. Supplies to include, but not limited to, typing/correction ribbons, legal and letter size envelopes, pens, copy cards, postage, etc.

i). **Defendants ordered to release each Plaintiff under 18 USC**

**USC § 3622 for the purpose of engaging in significant activity consistent with the public interest pending settlement of this case.** The equal application and enforcement of the legal protections promised by the United States in its written statements, or in the alternative, for these Defendants, jointly and severally, to show cause why Plaintiffs should continue to be held in prison when a release mechanism is authorized by law and statute for the exposure of such violation of law and rights complained of in this matter are invoked.

**j). Defendant FBOP ordered to produce its Corporate Charter, duly registered agents, to identify its place of business, to identify the Act of the United States creating the FBOP as an instrumentality or agent thereof.**

WHEREFORE: Upon a thorough review of the complaints contained herein, this Honorable Court is respectfully asked to issue the Order(s) enumerated above in addition to any other Orders it may deem appropriate as a matter of equity where performance is now formally called due by Plaintiffs.

#### **Complaint on Conspiracy and Fraud**

19). Plaintiffs incorporate herein those issues addressed in paragraphs 1-18 as if restated in entirety. Defendants individually, jointly and severally, did conspire to deprive Plaintiffs and their Authorized Agents of relevant material facts. That is, they refused to provide Plaintiffs with the legal authorities these Defendants relied upon establishing the basis for their acts, actions and omissions regarding those issues enumerated in paragraphs 1-18. Had Defendants been operating under the authority of the United States, their proof of jurisdiction would have been clearly disclosed and incorporated into and made part of the permanent record.

These Defendants possess complete unhindered access to public records that reflect the facts raised herein by Plaintiffs, known by Plaintiffs and these Defendants, to be a matter of statute and law. These Defendants all,

knew or should have known, at all times relevant, Plaintiffs claims to be meritorious and actionable. These Defendants conspiring, ignoring Plaintiffs claims, through their deliberate indifference, omission, dereliction of duty, obstruction of due process, denial of access to the Court, tampering with evidence favorable to Plaintiffs, now hold your Plaintiffs against their will in violation of law, knowingly conspire to defraud Plaintiffs of their legal protections, denying their rights, all duly owed to Plaintiffs, to wit;

a). Evidence showing conclusively that Congress in 1948 did not properly or lawfully pass the Bill promulgating Titles 18, 28, and others, within the United States Code. The original Bill, HR 3190, was passed by the House of Representative, hereinafter House, in the first session of Congress, 80th Congress, in 1947 and subsequently passed onto the Senate. According to the official record the Senate made no changes to HR 3190 in that first session of Congress in 1947. The Senate in the second session of Congress, 1948, took up HR 3190 making amendments before returning it to the House. On June 20, 1948 the Congress recessed. HR 3190 sent from the House to the Senate in 1947, Amended by the Senate in 1948, returned to the House in 1948, having never been voted on by either House or Senate, was certified as truly enrolled on June 18, 1948. The manner in which HR 3190 was enrolled into law is unconstitutional in that its enrollment did not comport with the Constitutional requirements as set forth nor were the legislative procedures met to enact a Bill into law. The law that supports Title 18 was not enacted properly rendering Title 18 a complete nullity, void on its face and in Act, having no force or effect upon Plaintiffs or Applicants, at any time.

b). Evidence conclusively showing that the Codes, Title 18 USC §§ 2, 1340-1349, 1958, do not evidence compliance with the Federal Register Act at 49 Stat. 500, Ch. 417, Act of July 26, 1935, which requires publication

as open, general, notice by Federal Register and Codification in the Code of Federal Regulations. Any Code claiming to prescribe penalties, claiming general applicability and legal effect, must be implemented by Executive Branch Regulations.

The charges against your Plaintiffs do not evidence the requisite citation in the Federal Register, and as such, are not only incomplete, but invalid and of no force or effect against Applicants Charles C: Miller, Harold Edmund: Stonier or Dale Scott: Heineman, nor Plaintiffs, Res CHARLES C. MILLER, Res HAROLD EDMUND STONIER or Res DALE SCOTT HEINEMAN; the cesti que trusts.

c). Evidence conclusively showing that the United States Code used to prosecute Title 18 and 28 offenses were not assigned by Congress assembled to the UNITED STATES DISTRICT COURT under Article I or Article III powers as is required by the Constitution of the United States. These Courts are merely cited as having powers over certain matters with no authority from the law making body, Congress, to attach anyone other than Federal Officers or those charged with RICO crimes. None of these conditions apply, nor ever could apply, to Plaintiffs/Applicants since Plaintiffs/Applicants are not Federal Officers nor were they charged with RICO crimes. Title 18 § 3231, District Courts original jurisdiction over laws of the United States is void of a Federal Regulation. Without an implementing regulation the Title is invalid. Moreover, 18 USC § 3231 relies upon sections 3321, 3322 and 3331. Section 3332 Grand Juries, which also does not evidence a Federal Regulation, is required to notice anyone other than Federal Officers of crimes charges. Yet sections 3332 and 3333 limit these Grand Juries and Special Grand Juries to reports, indictments of non-criminal misconduct, malfeasance, misfeasance in offenses involving organized crime conditions in the District. Without an implementing regulation or published citation in the Federal Register, the United States Code fails to evidence compliance with the requirements of the Federal Register Act. Therefore, since

there is no associated delegation of authority flowing from Congress or the Constitution of the United States, Titles 18, 28 and others are illegitimate, of no force or effect, a nullity at law.

d). Evidence conclusively showing that the United States Attorneys are limited to prosecuting for offenses against the United States and defending civil actions, proceeding in which the United States is concerned or stated at 28 USC § 547. The acts complained of herein were taken and executed under complaint by the UNITED STATES OF AMERICA, a different legal entity than the United States. Therefore the prosecutions against Plaintiffs/Applicants were fraudulent and part of a conspiracy between Defendants and other unknown co-conspirators.

e). Evidence conclusively showing that the UNITED STATES DEPARTMENT OF JUSTICE may act out outside the confines of the seat of Government in contemplation of 28 USC § 501 and 4 USC § 72 requiring Act of Congress authorizing Executive Agencies attached to the seat of Government to act without the District. The record is clear that the UNITED STATES DEPARTMENT OF JUSTICE failed to possess any authority to act outside of the District when they charged Plaintiffs, being further evidence of these Defendants conspiring under the color of office to perpetrate fraud against Plaintiffs and the United States.

WHEREFORE: Plaintiffs demand judgment on orders against these Defendants, jointly and severally, to be crafted by the Court, or in the alternative, to show cause why official Government records in the custody of the Archivist of the United States will not be present to this Court and Plaintiffs for inspection, to wit;

1). Defendants be Ordered to produce the following documents:

1). The enrolled Act of Congress, specifically the statutes referenced herein regarding the charged conduct, along with the corresponding Federal Regulations providing the delegation of authority, specifically;



- i). Journal of the House, First Session, 1947;
- ii). Journal of the Senate of the United States, 80th Congress, First Session, 1947;
- iii). Journal of the House, 80th Congress, Second Session, June 18, 1948;
- iv). Journal of the Senate, 80th Congress, Second Session, January 6, 1948;
- v). 93rd Congressional Record, 80th Congress, First Session, 1947;
- vi). 94th Congressional Record, 80th Congress, Second Session, 1948;
- vii). House Report No. 304, 80th Congress, First Session, April 24, 1947;
- viii). House Document No. 769, 79th Congress, Second Session, Constitution, Jefferson's Manual and Rules of the House of Representatives of the United States, 80th Congress, Government Printing Office 1947;
- ix). Senate Report No. 1620, 80th Congress, Second Session, Hinds Precedents of the House of Representatives of the United States, Volumes IV and V, Government Printing Office 1907;
- x). Senate Report No. 1620, 80th Congress, Second Session, June 14, 1948;
- xi). House Concurrent Resolutions 218 and 219, 80th Congress, Second Session, June 20, 1948, 62 Stat. 1435-1436;
- xii). Certified Copy of H.R. 3190, passed by the House of Representatives on May 12, 1947 and certified as truly enrolled on June 18, 1948;
- xiii). Certified Copy of H.R. 3190 as signed into Public Law 80-772 and received at Department of State on June 25, 1948.

2). The delegation of Article III Judicial Power issued by the Congress through its Article I Legislative Powers of the UNITED STATES DISTRICT COURTS to operate in separate States Districts;

3). Laws and Regulations governing juries and grand juries duly certified as enrolled, with evidence of publishing laws and their implementing regulations;

4). Delegation by Congress, through Statute and Regulation, authorizing or empowering the UNITED STATES ATTORNEYS OFFICE to prosecute, proceed, or defend any acts or actions for any entity other than the United States;

5). Authorization by Congress, through Statute and Regulation, empowering the United States Department of Justice to act outside the seat of Government;

6). Federal Regulation with its published notice and Code completing the Title 18 United States Code violations charged against Plaintiffs.

b). Each Defendant be ordered by the Court to produce:

i). Official copy of Certificate of Appointment to Office with verification by apposit body;

ii). Official Oath of Office. Where such Oath is in written form and signed by Defendants all;

iii). Signed Loyalty Statement;

iv). Copy of most recent Ethics Statement;

v). Copy of signed Employment Agreement.

All documents to be delivered to Plaintiffs jointly and severally to their place of incarceration or wherever they may be domiciled.

c). Each Defendant be ordered to notify their Employer of these pending claims on official bonds.

d). Each Defendant be ordered to freeze any and all selling, transferring, or the like, of assets pending completion of this action, or in the alternative, ordered to seek Court approval prior to the sell or transfer of said assets, or the like.

e). Each Defendant be ordered to review all their acts and actions in relation to your Plaintiffs/Applicants in order to provide specific authorities supporting each and every challenged act, action or omission in order to preclude delay in the interest of justice regarding this contract.

f). Damages to be ordered in the sum amount of One Thousand Five Hundred Thirty-eight dollars (\$1,538) per day, against FBOP for each day your Plaintiffs spent incarcerated and/or in FBOP custody.

g). Damages in the sum amount of Five Thousand dollars (\$5,000) per day, minimum per cause, against these Defendants individually, for each Applicant for false imprisonment. The actual damage amount to be determined by a jury in the event Defendants are not able to produce lawful authority supporting their acts, actions or omissions.

h). Defendants ordered not to separate Plaintiffs while this action remains pending, keeping Plaintiffs together at FCI Lompoc, in general population, nor to obstruct, interfere with Plaintiffs collective work or work product, not to tamper with Plaintiffs legal mail.

i). An order establishing the required office supplies necessary for the preparation of filings and other legal related matters. Supplies to include, but not limited to, typing/correction ribbons, legal and letter size envelopes, pens, copy cards, postage, etc.

j). **Defendants ordered to release each Plaintiff under 18 USC § 3622 for the purpose of engaging in significant activity consistent with the public interest pending settlement of this case.** The equal application and enforcement of the legal protections promised by the United States in its written statements, or in the alternative, for these Defendants, jointly and severally, to show cause why Plaintiffs should continue to be held in prison when a release mechanism is authorized by law and statute for the exposure of such violation of law

and rights complained of in this matter are invoked.

WHEREFORE: Upon a thorough review of the complaints contained herein, the Honorable Court is respectfully asked to issue the Order(s) enumerated above in addition to any other Order(s) it may deem appropriate as a matter of equity where performance is now formally called due by Plaintiffs.

**Complaint on Fraudulent Security**

**Bill of Attainder**

**False Imprisonment**

20). Imprisonment as executed under illegal and unconstitutional orders as referenced 1-19 above are fully incorporated and restated, to wit;

a). The execution on the illegal sentence when carried out is unconstitutional in violation of known law and standards governing those Defendants who benefit from the construction of counterfeit securities.

b). United States under Title 18 USC § 513, to wit;

1). "Whoever makes, utters, or possesses a counterfeit security of a state or political subdivision thereof, or of an organization, or whomever makes utters, or possesses a forged security of a state or political subdivision thereof, or of an organization, with intent to deceive another person, organization, or government, shall be fined not more than \$250,000 or imprisoned not more than 10 years or both."

c). See also Title 18 USC §§ 2311, 2314, 2320, for additional fines and sanctions. Section 2311 defines securities as, "evidence of indebtedness" which is in a broad sense as well as specifically applied, may mean anything that is due and owing which would include a duty, obligation, or right of action.

d). The counterfeit securities identified herein were issued by the Seattle, Boston and San Francisco Federal District Courts and being traded on public exchanges. Plaintiff CHARLES C. MILLER is traded under C.U.S.I.P.

number 316390871 under Fidelity Select Computer P.T. fund number 7. Plaintiffs STONIER and HEINEMAN securities are unknown at this time.

e). Plaintiff MILLER'S Case number, CR-97-51 C001, was through some mechanism changed into an account number identified as 7CR 51C01.

f). The nature of the transaction funding the fraudulent securities are covered by color of law which upon inspection discloses the constructive fraud on assumed, never consented to, executory interest having no legal authority, to wit;

g). The claim founding the fraudulent securities in styled INDICTMENTS claiming duty, obligation, or right of action upon Charles C: Miller, Harold Edmund: Stonier or Dale Scott: Heineman in favor of the UNITED STATES OF AMERICA cites authorities for rights not authorized by law;

h). The UNITED STATES OF AMERICA is not the United States, nor the UNITED STATES, as authorized to apply the United States Code. Not being a government, or government agency, the UNITED STATES OF AMERICA is a private party making some sort of private claim under color of official right, a fraudulent claim absent proof of contract or obligation being known to all parties, which is not of record.

i). The code used to charge these cases, United States Code limits parties prosecuting and their exclusive representatives under 28 USC § 547, Chapter 35, DEPARTMENT OF JUSTICE, "Except as otherwise provided by law, each United States attorney, who within his district shall-

1). Prosecute for all offenses against the United States;

2). prosecute or defend for the Government, all civil actions, acts or proceedings, in which the United States is concerned; and, Section 501.

j). The Department of Justice is an executive department of the

United States as the seat of Government, and Title 4 USC § 72 requires an Act of Congress authorizing all executive agents attached at the seat of Government to have Congressional authority to act outside the district, which is not of record.

k). Counterfeit securities in the form of orders in criminal cases CR 97-51C, 03-10146-JLT, CR 05-00611 WHA, a fact irrefutable under statements issued by the United States.

l). Case number, CR 97-51C, 03-10146-JLT, CR 05-00611 WHA, in U.S. District Courts in the Western District of Washington, District of Massachusetts, Northern District of California, respectively, are counterfeit securities from the beginning as conclusively shown by the above evidence. The debt being collected by imprisonment under order is incompetent legally and commercially to hold anyone to service.

WHEREFORE: Plaintiffs demand all relief as stated above in 18(a) through 18(j) are fully incorporated and restated.

2l). Sentence to imprisonment was calculated under unconstitutional Bill of Attainder in violation of Fifth and Sixth Amendments and standing Supreme Court orders on Plaintiffs original sentences and their subsequent sentences on supervised release under Bill of Attainder Presentence Investigation Report. 1-20 above fully incorporated and restated at this point, to wit;

a). Congress ordered UNITED STATES COURT JUDGES to apply Title 18 USC § 3552 wherein the courts agent, the United States Probation Officer, shall make a presentence investigation. Investigation is an Executive Branch function, a violation of separation of powers;

b). The courts agent is required to submit a report on the investigation which the judge accepts requiring both prosecution and defendant to respond to. This investigation report, being a charging instrument, is

akin to a second or additional indictment by the court itself when any issue that could cause penalty of any sort is raised;

c). Investigation charging new behavior not contained in the indictment which must be answered, holding and making findings for a sentence, all under structure of Congress, makes the court a star chamber. The court under order of Congress to investigate and charge is a Bill of Attainder;

d). This illegal practice denies your Applicants, via Plaintiffs, the protections of the Fifth Amendment because the court became the charging party, denying the jury trial provision of the Sixth Amendment and BOOKER protections when civil standards are applied in a criminal case wherein the civil complaint is brought by the judge's order, and the judge is the charging, hearing, adjudicating and sentencing agent by order of Congress.

Any sentence issued against your Plaintiffs based on their respective Presentence Investigation Report(s) is illegal as admitted in the Statement of Reasons where it is shown that the reason for the sentence, both imprisonment and the separately shown illegal supervised release, is the Presentence Report and investigation. The Statement of Reasons does not identify the original charges or findings by the respective juries. In short, charges by these Court(s) under unconstitutional Bill of Attainder action supports the imprisonment orders, act as the sole authority which is shown to be fraudulent.

22). Sentence to supervised release was obtained by unconstitutional application of the United States Code Title 18 § 3583 in conflict with the original code charges of Title 18 USC §§ 2, 371, 1341, 1343, 1349, 1958, in conflict with sentencing code Title 18 §§ 3551, 3553. Section 3553(a)(3) is in conflict with Title 18 USC § 3581, Sentence to Imprisonment, denying defendants, these Plaintiffs, your Applicants, benefit of the law required to be provided by the United States in all of its own statements. 1-21 above fully incorporated and restated here, to wit;

a). Charged conduct, Title 18 USC §§ 2, 371, 1341, 1343, 1349,

1958, carry fine imprisonment or probation as penalties for conviction legally and lawfully obtained or not;

b). Sentencing law Title 18 USC § 3551 authorizing only probation, fine or imprisonment limits options under Title 18 USC § 3553 Sentence Imposition factors;

c). Classifications of offenses, infractions of some sort, not federal felonies or misdemeanors, under supervised release violations are limited to imprisonment of five (5) days or less; Title 18 USC § 3553(a);

d). Sentence to imprisonment Title 18 USC § 3581 also limits infractions to not more than (5) days imprisonment;

e). **These Plaintiffs, your applicants, could never be charged with any felony or misdemeanor violation under supervised release claims because there are no charges under supervised release carrying penalty of imprisonment. No statute, no charges, no prison possible.** The supervised release matter is separate, outside statute penalty under fraudulently induced contract with United States Probation Officers who threaten imprisonment for refusing to sign their contract.

f). **Supervised Release is not a penalty available to a Judge for after finding of guilt for code violations as cited in either the original action nor the later supervised release civil issue brought by Probation Department.**

g). **Any sentence of supervised release is void from issuance absent statute authorizing such as a penalty being charged in indictment.**

h). ARGUENDO; Supervised Release were a valid sentence there still is no criminal behavior charged in the violation claim, a civil matter that could carry a term of imprisonment not more than thirty (30) days maximum.

i). The sentence of supervised release is separate from the authorized sentence and is shown conclusively by the Judgment and Commitment Order authorizing



an additional number of months imprisonment.

j). Supervised Release contract is fraudulently induced by deceptive practices under Title 18 USC § 3583 which limits supervised release to " part of the sentence" if such term is required by the statute, otherwise Supervised Release may be part of the authorized sentence not separate and in addition to the statutory penalty.

Supervised Release is a separate and different sentence not authorized by the finding of guilt on the charged conduct and is a double sentence, double jeopardy, served under the courts UNITED STATES PROBATION OFFICE, not the Executive Branch. The court holds no authority to execute a sentence to imprisonment and is limited to suspended sentence to supervision or probation by statute.

Double jeopardy bars a sentence to supervised release imprisonment under the same number and court as unauthorized punishment not recognized by Congress or Constitution, in any of the cases represented herein as charged by the respective indictments, two kinds of penalties, any impairment of liberty is double jeopardy.

WHEREFORE: Plaintiffs demand relief and remedy as follows:

a). All relief and remedy stated above are to be provided under this Complaint on Fraudulent Security, Bill of Attainder, Double Jeopardy, False Imprisonment, and,

b). Writ of Habeas Corpus attached as fully incorporated at this point is demanded.

**Complaint on Promissory Note**

**and for Judicial Notice**

22). 1 through 21 above are fully incorporated and restated at this point.

23). Defendants owe Plaintiffs obligations promised by employer, the United States, under 1 Stat. 23 found by 5 USC § 3331 for executive officers, 28 USC § 453 for judicial officers as executed under STANDARD FORM 61, REVISED

SEPTEMBER 1970, U.S. CIVIL SERVICE COMMISSION, F.P.M. CHAPTER 295, 61-107,  
OMB APPROVAL NO. 50-R0118, herein states;

**A. OATH OF OFFICE**

I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

**B. AFFIDAVIT AS TO STRIKE AGAINST THE FEDERAL GOVERNMENT**

I am not participating in any strike against the Government of the United States or any agency thereof, and I will not so participate while an employee of the Government of the United States or any agency thereof.

**C. AFFIDAVIT AS TO PURCHASE AND SALE OF OFFICE**

I have not, nor has anyone acting in my behalf, given, transferred, promised or paid any consideration for or in expectation or hope of receiving assistance in securing this appointment.

SEE ATTACHED AS EXHIBIT 1

And, Form No. G-22, Rev. 11-2-70, herein states;

I, [Name of Judge], do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as [capacity of Judge], according to the best of my abilities and understanding, agreeable to the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So Help Me God.

SEE ATTACHED AS EXHIBIT 2

AND, 28 USC § 453, AS EXHIBIT 3;

AND, 5 USC § 3331, AS EXHIBIT 3

Whereby Defendants Michael Mukasey, Harley Lappin, Linda Sanders, John C. Coughenour, Carl Blackstone, Joseph L. Tauro, Brian Kelly, William H. Alsup, Joseph Russeniello, David Hall, individually pledged their personal bond to to public service, the promise to provide the powers and limits thereon stated by the United States, its written obligations to those upon who it affects.

These Defendants owe to Plaintiffs the obligations and duties stated above inclusive on direct affect and collateral issues.

Mandatory Judicial Notice of adjudicated material facts authenticated by publish under United States authorities same being those provided in all federal prisons by operation of law noted herein below to FEDERAL RULES OF EVIDENCE 201(d),(e),(f), 901;

a). UNITED STATES CODE published by Matthew Bender and Company, Inc., a division of Lexis Nexis, ISBN 0-327-13457-7, Copyright 2002;

b). UNITED STATES CODE FINDING AIDS AND PARALLEL TABLES published by Matthew Bender and Company, Inc. a Division of Lexis Nexis, ISBN 978-1-4224-45884-4, Copyright 2008;

c). SUPREME COURT DIGEST published by Matthew Bender and Company, Inc., a Division of Lexis Nexis, ISBN 0-327-11225-5;

d). SUPREME COURT REPORTS published by The Lawyers Co-Operative Publishing Company, Copyright 1989.

WHEREFORE: Plaintiffs demand the relief, remedies and damages stated above as a matter of right inclusive as to all matters under right to rely on the United States published promises required to be enforced, executed by this Court under its offered and now accepted powers completing Contributing Beneficiaries Equity Call herein noted for account, and accounting, and,

Plaintiffs demand attached Order for Release be executed within Three (3) days as a matter of right under Habeas Corpus obligations by the United States being due and called herein and herewith.

Done this 27<sup>th</sup> day of December 2008

Charles C. Miller  
CHARLES C. MILLER

By

Charles C. Miller  
Charles C. Miller  
Attorney at Law

12/27/08  
Date

HAROLD EDMUND STONIER  
HAROLD EDMUND STONIER

By

Harold Edmund Stonier  
Harold Edmund: Stonier

12/27/2008  
Date

DALE SCOTT HEINEMAN  
DALE SCOTT HEINEMAN

By

Dale Scott Heineman  
Dale Scott: Heineman

12/27/08  
Date

**Verification by Acknowledgement**

*Charles C. Miller*  
CHARLES C. MILLER

By

*Charles C. Miller*  
Charles C. Miller  
*Andrew J. [illegible]*

\_\_\_\_\_  
Date

Before me appeared Charles C: Miller known and identified to me,  
who stated under oath that he has firsthand knowledge hereto and that to his  
best belief and knowledge all matters are true and correct.

\_\_\_\_\_  
Case Manager, FCI Lompoc

**Verification by Acknowledgement**

HAROLD EDMUND STONIER By Harold Edmund Stonier Date \_\_\_\_\_  
HAROLD EDMUND STONIER Harold Edmund: Stonier

Before me appeared Harold Edmund: Stonier known and identified to me, who stated under oath that he has firsthand knowledge hereto and that to his best belief and knowledge all matters are true and correct.

\_\_\_\_\_  
Case Manager, FCI Lompoc

**Verification by Acknowledgement**

DALE SCOTT HEINEMAN  
DALE SCOTT HEINEMAN

By

[Signature]  
Dale Scott: Heineman

12/27/08  
Date

Before me appeared Dale Scott: Heineman, known and identified to me, who stated under oath that he has firsthand knowledge hereto and that to his best belief and knowledge that all matters are true and correct.

Case Manager, FCI Lompoc

On January 6, 2009 I went to Robin Woodard, Case Manager, FCI Lompoc, to acknowledge under oath the herewith attached document. After consulting with the Lompoc legal department, Case Manager Woodard declined to administer the oath indicating that she "felt uncomfortable." Conspiring with the Lompoc legal department, known BAR Attorneys, Case Manager Woodard knowingly obstructed my legal process being aware she has a duty under 18 USC § 4004 to administer oaths. This latest action against me is in violation of law and statute, perfects absolutely, the claims raised herein of the fraudulent, abusive, administrative and legal processes.

**Verification**

I, Dale Scott: Heineman, declare, state, affirm, all the foregoing is true and correct, of firsthand knowledge, declare such under the penalty of perjury under the laws of the United States of America.

Done this \_\_\_\_ day of January 2009

[Signature]  
Dale Scott: Heineman

[Signature]  
Witness 1 (print name)

By

[Signature]  
Witness 1 (signature)

1/11/09  
Date

HAROLD EDMUND STONIER  
Witness 2 (print name)

By

[Signature]  
Witness 2 (signature)

1/11/2009  
Date

This being duly sworn under D.C. Code 14 § 101, 18 USC § 4004, Common Law

**CERTIFICATION OF IDENTITY AND PRISON STATUS**

The below listed individual is currently in the service of a federal term of imprisonment at the Federal Correctional Institution located at 3600 Guard Road, Lompoc, California, 93436.

NAME OF INMATE: CHARLES C. MILLER

FEDERAL REGISTRATION: 61721-065

DATE OF BIRTH: NOVEMBER 26, 1949

SOCIAL SECURITY NUMBER: 516-58-0475

FBI NUMBER: 125793K2

**OATH AND ACKNOWLEDGEMENTS**

I am an Officer of the United States Department of Justice, Federal Bureau of Prisons, currently employed at the Federal Correctional Institution at Lompoc, California. I do certify that the above named individual is an inmate at the Federal Correctional Institution in Lompoc, California, serving a sentence imposed by the United States District Court. Pursuant to Title 18, United States Code section 4004, I may administer oaths to inmates, Officers, and employees, as authorized by federal law.

Executed on this the 6<sup>th</sup> day of January, 2009.

Marta Velasco

MARTA VELASCO, CASE MANAGER,  
AUTHORIZED BY THE ACT OF JULY 7,  
1955, AS AMENDED TO ADMINISTER  
(stamp) OATHS (18 USC 4004).

(place inmate ID here and copy)

**CERTIFICATION OF IDENTITY AND PRISON STATUS**

The below listed individual is currently in the service of a federal term of imprisonment at the Federal Correctional Institution located at 3600 Guard Road, Lompoc, California, 93436.

NAME OF INMATE: HAROLD EDMUND STONIER

FEDERAL REGISTRATION: 24704-038

DATE OF BIRTH: FEBRUARY 15, 1960

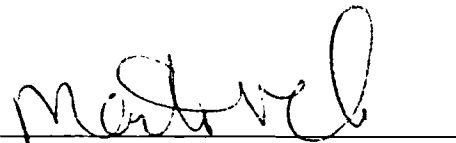
SOCIAL SECURITY NUMBER: 069-56-2683

FBI NUMBER: 276141V39

**OATH AND ACKNOWLEDGEMENTS**

I am an Officer of the United States Department of Justice, Federal Bureau of Prisons, currently employed at the Federal Correctional Institution at Lompoc, California. I do certify that the above named individual is an inmate at the Federal Correctional Institution in Lompoc, California, serving a sentence imposed by the United States District Court. Pursuant to Title 18, United States Code section 4004, I may administer oaths to inmates, Officers, and employees, as authorized by federal law.

Executed on this the 6<sup>th</sup> day of January, 2009.



Case Manager Signature

MARTA VELASCO, CASE MANAGER,  
AUTHORIZED BY THE ACT OF JULY 7,  
1955, AS (stamp) A DEPARTMENT MINISTER  
OATHS (18 USC 4004)

(place inmate ID here and copy)

+

+



**CERTIFICATION OF IDENTITY AND PRISON STATUS**

The below listed individual is currently in the service of a federal term of imprisonment at the Federal Correctional Institution located at 3600 Guard Road, Lompoc, California, 93436.

NAME OF INMATE: DALE SCOTT HEINEMAN

FEDERAL REGISTRATION: 12152-081

DATE OF BIRTH: SEPTEMBER 28, 1959

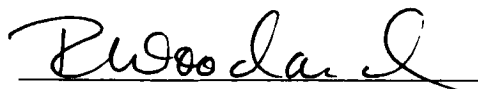
SOCIAL SECURITY NUMBER: 571-33-9668

FBI NUMBER: \_\_\_\_\_

**OATH AND ACKNOWLEDGEMENTS**

I am an Officer of the United States Department of Justice, Federal Bureau of Prisons, currently employed at the Federal Correctional Institution at Lompoc, California. I do certify that the above named individual is an inmate at the Federal Correctional Institution in Lompoc, California, serving a sentence imposed by the United States District Court. Pursuant to Title 18, United States Code section 4004, I may administer oaths to inmates, Officers, and employees, as authorized by federal law.

Executed on this the 6<sup>TH</sup> day of JANUARY, 2009.



Case Manager Signature

(stamp)

+

+

(place inmate ID here and copy)

+

+